

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

PATRIOT SERVICES GROUP  
LOUISIANA, INC., a Louisiana  
corporation,

Plaintiff,

v.

Case No.: 2:22-cv-11-SPC-NPM

LUXOR CONTRACTING GROUP  
INC. and LUXOR BUILDING  
GROUP, LLC,

Defendants.

\_\_\_\_\_ /

**ORDER**<sup>1</sup>

Before the Court is Defendants' Amended Notice Regarding Venue ([Doc. 26](#)). From the pleadings, the Court thought Louisiana might be the most convenient forum. So it sua sponte ordered the parties to jointly show cause on their positions.

A response titled, "Joint Response to Order to Show Cause," followed. ([Doc. 23 at 1](#)). That clarified "Plaintiff believes that the state of Florida will be the most convenient forum." ([Doc. 23 at 2](#)). For its part, Defendants did "not

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

join in or stipulate to” that statement, but “otherwise join[ed] and agree[d] with the rest of th[e] Response.” (Doc. 23 at 3). And without explanation, the parties finished with a “request [for] the Court [to] enter an order regarding whether there is cause for this matter to remain before the Court.” (Doc. 23 at 3). Based on that response, the Court said it “will take no further action on its Order at this time.” (Doc. 24)

It seems there was a miscommunication. Now, Defendants clarify they believe Louisiana is the proper venue. So Defendants would like the Court to transfer. Given the mix-up and uncertainty on whether the parties agree, they must make their positions clear. Defendants, therefore, must file an appropriate motion to transfer or dismiss, to which Plaintiff may respond. The Court reiterates the duty to confer. Local Rule 3.01(g). If all sides agree to transfer, they must file an unambiguous stipulation to that effect.

Accordingly, it is now **ORDERED**:

Defendants must **FILE** a motion to transfer or dismiss **on or before April 25, 2022**. **ALTERNATIVELY**, the parties must **FILE** an unambiguous stipulation regarding transfer **by that same date**.

**DONE** and **ORDERED** in Fort Myers, Florida on April 12, 2022.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record